

The Honorable Thomas S. Zilly

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

AARON CLAXTON,

Plaintiff,

vs.

THE CITY OF SEATTLE, a Municipal
Corporation; SEATTLE POLICE
DEPARTMENT; and SEATTLE POLICE
OFFICER DYMENT; and SEATTLE POLICE
OFFICER SAUSMAN,

Defendants.

No. 2:07-cv-00491-TSZ

**DECLARATION OF LEMBARD
G. HOWELL IN SUPPORT OF THE
PARTIES' STIPULATED MOTION
TO RE-NOTE DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

Lembhard G. Howell states and declares:

1. I am the attorney for plaintiff Aaron Claxton in this case.
2. On January 8, 2008 I electronically filed and served my notice of unavailability which gave notice that I will be away from my office from January 23, 2008 through February 7, 2008.
3. Defendants electronically filed and served their Motion for Summary Judgment on January 8, 2008. Defendants noted the motion for February 1, 2008.

/s/ Lembhard G. Howell
Lembhard G. Howell